

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(1) STACY Butler 05373-017 :
(Name of Plaintiff) (Inmate Number) :
A.V.S-A :
P.O. Box 1001 Thomson, IL 61285 :
(Address) :

(2) _____ :
(Name of Plaintiff) (Inmate Number) :

(Address) :

(Each named party must be numbered,
and all names must be printed or typed)

vs.

(1) T. Zdzarski (R.N.) :
(2) _____ :
(3) _____ :
(Names of Defendants) :

(Each named party must be numbered,
and all names must be printed or typed)

3:20-CV-0176
(Case Number)

CIVIL COMPLAINT

FILED
SCRANTON
FEB 03 2020
PER [Signature]
DEPUTY CLERK

TO BE FILED UNDER: ☒ 42 U.S.C. § 1983 - STATE OFFICIALS

☒ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. PREVIOUS LAWSUITS

- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

I do not have access to that info. At the time because I
am without my personal property in which has't been
shipped to me yet from another institution.

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ☐ No

B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☒ Yes ☐ No

C. If your answer to "B" is Yes:

1. What steps did you take? I filed A BP-8 - BP-9 - BP-10 and BP-

11 of the grievance process until exhaustion

2. What was the result? The parties agreed partially to the

complaint but denied the other half about me being taken to medical

D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS

(1) Name of first defendant: _____

Employed as Registered Nurse at CANAN U.S.P.

Mailing address: 3057 Eric J. Williams Memorial WAYMART, PA 18472 or P.O. BOX 400 WAYMART PA 18472

(2) Name of second defendant: _____

Employed as _____ at _____

Mailing address: _____

(3) Name of third defendant: _____

Employed as _____ at _____

Mailing address: _____

(List any additional defendants, their employment, and addresses on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)

1. (1) on or about 3-21-18 6:45 PM (M.L.P.) H. Walters gave to me my cellie Cedric

Smith Hodges #22988-076 medication. (2) At or around 7:35 pm. 3-21-18 I began

to feel disoriented, A rapid heart beat, dizziness, drowsiness, fatigue, and

2. Smith Hodges pushed the emergency cell call button, C.O. Stark responded and left to go call medical, C.O. Stark returned to say that medical (A.N.) T. Zdzinski said to drink water and lay down. ⁽⁴⁾ 5 minutes later my cellie pushed the cell duress button again, this time (A.N.) T. Zdzinski showed up with several C.O.'s
3. and told me (Stacy Butler) to get the fuck up off the floor and stop acting like a pussy. ⁽⁵⁾ (A.N.) T. Zdzinski then threatened me and stated that if I didn't get up off the floor that she was gonna come in the cell and put amonia packs up my nose until I regret it and then have me hauled off to lock-up.

V. RELIEF

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. Award me compensatory Damages in the Amount of \$150,000.
2. Award me punitive Damages in the Amount of \$150,000.
3. Award me psychological Damages in the Amount of \$150,000.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 28th day of JANuary, 2020.



(Signature of Plaintiff)


Continued PAGE (1) of STATEMENT OF CLAIMS

(6) (R.N) T. Zdiarski then threatened me by stating that if I didn't start acting like a pussy before the L.T. made his way up the stairs that it wasn't gonna be a pretty site, that she was going to amonia me to death, then take me to shu where I was to be beaten to death. (7) (R.N) T. Zdiarski told my cellie to sit down and stay out of it after my cellie Cedric Smith Hodges made an attempt to help me up from the floor. (8) (R.N) T. Zdiarski told my cellie Cedric Smith Hodges to stay out of it or else because this is not for you. (9) She told me to come to the cell door like a man and talk to her or leave the unit in front of everybody like a pussy. (10) The L.T. made it to the cell door. He ordered my cellie to cuff up, but I was lying at the door to prevent such, so he then ordered my cellie to help me up so that I could be cuffed, my cellie then cuffed up and stood at the back of the cell. (11) I was escorted to medical through the corridor. (12) Upon making it to medical I was shackled and led into a patient room, I was made to sit up whereas someone grabbed me from the back and with both their hands held my head in place. (13) Not being able to turn away immediately, (R.N) T. Zdiarski released (2) amonia packs inside my nostrils (one) in the left and (one) up the right one. (14) She then stated that it could of been alot easier if I had just got off the floor and talked to her instead of being a pussy. (15) (R.N) T. Zdiarski then popped another amonia pack up my nostril in which was the third one, she then told me I was on my way to (shu) confinement and popped a fourth capsule of amonia up my nostril. (16) She then stated instead of being a man you want to act like a little pussy and shoved yet another amonia pack up my nostril and popped it. (17) (R.N) T. Zdiarski continued this torture in attempt to get me to agree that I didnt recieve the wrong meds and to also agree that nothing was wrong with me. (18) She called me a pussy again before shoving and popping another capsule up my nose. (19) By this time I was slobbering from the mouth with foam and snot ran from my nose. (20) I started going into a state of unconsciousness. (21) I could only hear the distant sound of (R.N) Zdiarski talking to me. (22) She shoved and popped another amonia pack up my nose before asking me Im I ready to stop acting like a pussy and be a man and go

Continued PAGE (2) OF STATEMENT OF CLAIMS

back to the unit or shu right before the L.T. walked in the room. ⁽²³⁾ She asked the L.T. what is it that he wanted to do with me, the L.T. stated bring him to the L.T. office and I'll determine from there. ⁽²⁴⁾ I was taking to the L.T. office where as I was given a (urinalysis) in which came back negative. ⁽²⁵⁾ (A.N.) T. Zdziarski came to the L.T.'s office and told me that I better not ever be afraid of no one except for her. ⁽²⁶⁾ I was then threatened that I would receive a incident report for feigning a illness and interfering with Capt. ⁽²⁷⁾ (A.N.) T. Zdziarski was not present all on 3-21-18 at or about 6:45 p.m C-2 unit cell 227 when (M.L.P.) H. Walters gave me (STacy Butler) the wrong medication and admitted such to me and my cellie cedric smith Hodges and present medical staff.

under penalty of perjury


STacy Butler [#] 05373-017

01-28-2020

CERTIFICATE OF SERVICE

I hereby declare that this mail has been furnished
by U.S. mail on This

28th OF Jan OF 2020
Day month Year

Under penalty of perjury

CC Clerk of Court

U.S. District Court

P.O. Box 1148

235 N. Washington Ave

Scranton, PA 18501

S
Stacy Butler 05373-017

A.U.S.P.

P.O. Box 1001

Thomson, IL 61285

U.S. DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

Stacy Butler
Plaintiff

v.


CASE #

T. Zdziaski (RN)
Defendant

Clerk of Court

Comes now Stacy Butler Acting pro-se ask this Honorable Court
to except this motion and states the following below.

- 1) Please send me A 28 U.S.C. § 1915 Form.
- 2) Application to Proceed In Forma Pauperis
- 3) Authorization Form.
- 4) All forms listed above are in need to proceed with Action captioned above I did
not receive with Complaint. Under penalty of perjury


Stacy Butler 05313.07
01-28-2020

INMATE NAME MR. STACY BUTLER
REGISTER NUMBER 05373-017
ADMINISTRATIVE UNITED STATES PENITENTIARY
P.O. BOX 1001
THOMSON, IL 61285

RECEIVED
SCRANTON

FEB 03 2020

PER AND DEPUTY CLERK
LEGAL MAIL

QUAD CITIES IL PDF 612
WED 29 JAN 2020 PM
FOREVER
FOREVER / USA
Clerk of Court
U.S. DISTRICT COURT
P.O. BOX 1148
235 N. WASHINGTON AVE.
SCRANTON, PA 18501

7 2020
DEPT. OF CORRECTIONS
SCRANTON, PA